

electric power production capacity of the facility will be 60 kW.

2. Klondike Equity Enterprises, Inc.,

October 8, 1935.

[Docket No. QF85-712-001]

On September 17, 1985, Klondike Equity Enterprises, Inc., (Applicant), of P.O. Box 100, Newport Beach, California 92662 submitted for filing an application for certification of a facility as a qualifying cogeneration facility pursuant to § 292.207 of the Commission's regulations. No determination has been made that the submittal constitutes a complete filing.

The topping-cycle cogeneration facility, known as Klondike IV, will be located on southwest corner of Myford Road and Dow Avenue in Tustin, California. The primary energy source will be natural gas. The electric power production capacity will be 27.6 MW. Klondike IV will consist of a combustion turbine-generator, a two pressure level heat recovery boiler (HRB) and an extraction steam turbine-generator. The extracted steam together with low pressure steam from the HRB will be supplied to the absorption refrigeration equipment and heating needs at the athletic facility. Klondike IV is scheduled for commercial operation in spring of 1987.

3. Kenvil Energy Company—Reading Anthracite Company—Yatesville, Pennsylvania

October 8, 1985.

[Docket No. QF85-720-000]

On September 23, 1985, Kenvil Energy Company, (Applicant) of 400 Morris Avenue, Denville, New Jersey 97834, filed on behalf of the Reading Anthracite Company of 200 Mahantongo Street, Pottsville, Pennsylvania 17901, an application for certification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's regulations. No determination has been made that the submittal constitutes a complete filing.

The small power production facility will be owned and operated by the Reading Anthracite Company. The facility will be located near Yatesville, Mahanoy Township, Schuylkill County, Pennsylvania. The facility will consist of a circulating fluidized bed boiler, condensing steam turbine generator, and related auxiliary equipment. The primary energy source for the facility will be anthracite refuse. The net electric power production capacity of the facility will be 80 megawatts.

Standard Paragraphs

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 85-24871 Filed 10-17-85; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[OPTS-42026B; TSH-FRL 2637-1]

4-Chlorobenzotrifluoride; Decision Not to Test

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA is issuing a decision not to require further testing of 4-chlorobenzotrifluoride (4-CBTF), CAS #98-56-6, for health effects, environmental effects, and chemical fate. On August 24, 1984, U.S. District Court, Southern District of New York, ruling requires EPA to issue a test rule for this chemical under section 4(e) of the Toxic Substances Control Act (TSCA) or state reasons for not issuing one. EPA has determined that data now available to the Agency, including data received pursuant to a negotiated testing agreement between the Agency and Occidental Chemical Corporation, are adequate to characterize 4-CBTF for these effects and that no further testing need be required at this time.

FOR FURTHER INFORMATION CONTACT: Edward A. Klein, Director, TSCA Assistance Office (TS-799), Office of Toxic Substances, Environmental Protection Agency, Rm. E-543, 401 M St., SW., Washington, DC 20460. Toll Free: (800-424-9065), in Washington, DC: (554-1404), outside the USA: (Operator 202-554-1404).

SUPPLEMENTARY INFORMATION: The Agency is publishing a decision not to

require additional testing of 4-chlorobenzotrifluoride for health effects, chemical fate, or environmental effects.

I. Introduction

In its Ninth Report, published in the Federal Register of February 5, 1982 (47 FR 5456), the Interagency Testing Committee (ITC) designated 4-chlorobenzotrifluoride (4-CBTF) for priority testing consideration. The ITC recommended that 4-CBTF be tested for chronic health effects, for bioconcentration in fish, and for chemical fate. On July 18, 1983 (48 FR 32730), EPA published notice of a negotiated testing agreement (NTA) between EPA and Hooker Chemical and Plastics Corporation (Occidental Chemical Corp.) for 4-CBTF. To answer the concerns expressed by the ITC, Occidental Chemical Corp. proposed a multi-tiered series of health and environmental effects testing consisting of screening tests, base set tests, and conditional mammalian testing, with periodic full program reviews. In addition, atmospheric fate studies were scheduled immediately after completion of the base set testing prior to the first program review. The specific details of the NTA are presented in the July 1983 Federal Register notice. The screening and base set tests, as well as the atmospheric fate studies have been completed, and EPA has announced receipt of the test results in four Federal Register notices (48 FR 20312, 48 FR 53159, 49 FR 18779, and 50 FR 5421). These notices are included in the public docket (OPTS-42026) for this notice.

On August 24, 1984, the U.S. District Court, Southern District of New York, ruled that negotiated testing agreements were not a legally adequate substitute for rulemaking under section 4 of TSCA in EPA's responding to priority testing designations of the ITC. (*NRDC v. EPA*, 595 F. Supp. 1255 (S.D.N.Y. 1984)). In its final order, the court required that EPA publish a notice of proposed rulemaking for 4-CBTF or its reasons for not initiating rulemaking by October 1985. This notice is being published in response to the court's mandate and announces the Agency's decision not to require additional health effects, chemical fate, or environmental effects testing for 4-CBTF.

Under section 4(a) of TSCA, the Administrator shall by rule require testing of a chemical substance to develop appropriate test data if the Agency finds that:

(A)(i) the manufacture, distribution in commerce, processing, use, or disposal of a chemical substance or mixture, or that any combination of such activities,

may present an unreasonable risk of injury to health or the environment.

(ii) there are insufficient data and experience upon which the effects of such manufacture, distribution in commerce, processing, use, or disposal of such substance or mixture or of any combination of such activities on health or the environment can reasonably be determined or predicted, and

(iii) testing of such substance or mixture with respect to such effects is necessary to develop such data; or

(E)(i) a chemical substance or mixture is or will be produced in substantial quantities, and (I) it enters or may reasonably be anticipated to enter the environment in substantial quantities or (II) there is or may be significant or substantial human exposure to such substance or mixture.

(ii) there are insufficient data and experience upon which the effects of the manufacture, distribution in commerce, processing, use, or disposal of such substance or mixture or of any combination of such activities on health or the environment can reasonably be determined or predicted, and

(iii) testing of such substance or mixture with respect to such effects is necessary to develop such data.

EPA uses a weight-of-evidence approach in making a section 4(a)(1)(A)(i) finding; both exposure and toxicity information are considered in determining whether available data support a finding that the chemical may present an unreasonable risk. For the finding under section 4(a)(1)(B)(i), EPA considers only production, exposure and release information to determine whether there is or may be substantial production and significant or substantial human exposure or substantial release to the environment. For the findings under sections 4(a)(1)(A)(ii) and 4(a)(1)(B)(ii), EPA examines toxicity and fate studies to determine whether existing information is adequate to reasonably determine or predict the effects of human exposure to, or environmental release of, the chemical. In making the finding under section 4(a)(1)(A)(iii) or 4(a)(1)(B)(iii) that testing is necessary, EPA considers whether ongoing testing will satisfy the information needs for the chemical and whether testing which the Agency might require would be capable of developing the necessary information.

EPA's approach to determining when these findings are appropriately made is described in detail in EPA's first and second proposed test rules as published in the Federal Register of July 18, 1980 (45 FR 48528) and June 5, 1981 (46 FR 30300). The section 4(a)(1)(A) findings are discussed at 45 FR 48528 and 46 FR

30300, and the section 4(a)(1)(B) findings are discussed at 46 FR 30300.

II. Review of Available Data

A. Description, Manufacture, and Use

4-Chlorobenzotrifluoride (CAS #98-56-6) is a liquid at room temperature. While soluble in most organic solvents, it is only slightly soluble in water (Ref. 1). It is volatile ($VP_{T=20^{\circ}C} = 5.8$ mmHg) and quickly evaporates from water to the atmosphere, where it has a lifetime of up to 50 days (Ref. 2). It absorbs to soils and sediments (Ref. 3), where it will persist unless evaporation is possible, since it is not readily biodegradable (Ref. 4).

Occidental Chemical Company at Niagara Falls, NY, is the sole industrial producer of 4-CBTF, with an estimated production volume of 10 to 50 million pounds/year (Ref. 5). Over 80 percent of this production is shipped in tank cars to Elanco, a subsidiary of Eli Lilly, Lafayette, IN, where it serves as the starting material for the production of trifluralin, a pre-emergent herbicide (Ref. 5). The remainder is mostly used for synthesis of trifluralin-related compounds or diphenyl ether herbicides. However approximately 4 percent is used as an intermediate in the synthesis of dyes and drugs. 4-Chlorobenzotrifluoride is also reported to be usable as a dielectric fluid or a solvent, but EPA has no evidence of such uses at this time. (Ref. 5).

B. Release and Exposure

The Agency believes that workplace exposure to 4-CBTF is low because manufacture, transport to Elanco, storage in underground tanks and subsequent trifluralin production are closed processes. Occidental performs both area and personnel monitoring within its Niagara Falls manufacturing facility and has submitted these data on worker exposure (as well as data on worker exposure at the Elanco processing plant) as confidential business information (CBI) (Ref. 6). In a non-CBI context, Occidental stated 4-CBTF levels were less than 1 ppm (Ref. 7). Eli Lilly does not monitor but believes 4-CBTF air levels in the Elanco plant are below the detectable limit (level not given) (Ref. 7). These submissions have been reviewed and evaluated by the Agency (Ref. 8). Using standard assumptions for worker weight, inhalation volume and rate, and duration and level of 4-CBTF in the plant, the Agency calculates an exposure level on the order of micrograms per kilogram per day. As discussed in Unit II.C.4., a subchronic mammalian study indicates a no effect

level of 10 mg/kg/day, giving a margin of safety of three orders of magnitude.

At Elanco, release of 4-CBTF to the environment appears minimal. Air emissions from the underground storage tanks total less than ten gallons per day. All process water released is treated with an activated carbon system known to remove at least 99 percent of the organics present. Solid residues are completely incinerated. However, there has been no analysis of either ambient air near the plant site or plant effluent. Elanco has analyzed the process intermediates following the initial reaction with 4-CBTF and the final reaction products for 4-CBTF contamination. They report concentrations below the detectable limit (0.10 percent) (Ref. 7).

There is no known consumer exposure to 4-CBTF, and the general population exposure appears to be limited to the town of Niagara Falls, NY and surrounding areas. Even here, exposure is very site-specific; 4-CBTF has been detected only in discrete areas adjacent to the production facility and near certain landfill disposal sites (Refs. 7, 9 and 11).

Many reports of detection of 4-CBTF in the environment were published in the 1970s. At that time disposal procedures at Occidental's manufacturing plant were less restrictive. 4-Chlorobenzotrifluoride waste was buried in landfills with runoff streams emptying into the Niagara River. Occidental also released untreated wastewater to the river and volatile emissions directly to the air. As a consequence environmental levels were higher than present levels. For example, in a 1979 study (Ref. 11), 4-CBTF was found in 3 of 15 samples in Niagara Falls air up to 3 parts per billion (ppb). The same study reported less than one ppb 4-CBTF in the breath of 5 of 9 Love Canal residents. At no time has 4-CBTF ever been detected in the Niagara Falls drinking water (Ref. 11). There is one report of 4-CBTF presence (2 ppm) in Niagara River fish collected prior to 1976 (Ref. 12). FDA repeated this study in 1980 and did not find 4-CBTF present in local fish (Ref. 13).

Disposal practices by Occidental have been greatly modified in the past decade. Occidental closed the Hyde Park site in 1975, initiated pre-treatment practices, and is substituting New York State Department of Environmental Conservation-approved incineration for burial. These extensive engineering modifications and changes in disposal practices by Occidental have been successful in controlling release to air

and receiving streams (Refs. 6, 7, 14 and 15).

The present level of 4-CBTF in Niagara Falls ambient air is not known. Based on the "B" environmental rating given 4-CBTF by the New York State Air Pollution Control Regulation (part 212), ambient monitoring is not required (Ref. 6). However, release of 4-CBTF to the water column is better characterized. Current discharges to the Niagara River of 4-CBTF are explicitly limited by State and Federal permits (Refs. 14 and 15). The current SPDES Permit and Consent Order issued to Occidental in September 1984 allows a maximum discharge (all outfalls combined) of 10 pounds per day for all monochlorobenzotrifluoride isomers. The minimum monitoring required is two 24-hour composite sample taken twice a month.

Occidental, in a confidential business submission, has reported levels of 4-CBTF released to the environment from the manufacturing process during the past five years (Ref. 6). These data show a 95 percent decrease in 4-CBTF levels released to the Niagara River from the Occidental plant. But levels of 4-CBTF in the water column (0.1 to 1.0 ppb) have not significantly changed over the past decade (Refs. 7, 9, 10, 14, and 15). The Canadian Ministry of the Environment (Ontario) has conducted much of the ambient monitoring of Lake Erie, the Niagara River, and Lake Ontario since 1978 (Ref. 10). They identified trace levels of 4-CBTF in raw intake water near the mouth of the Niagara in 3 of 10 samples in 1981 and in 2 of 21 samples in 1982. (The limit of detection and level considered to be a trace amount was not given.) The joint U.S.-Canada Niagara River Toxics Committee classified 4-CBTF as a Group II D contaminant. Their rating system entails 9 designations with II D as number 5. Only the first three designations have found to be of concern. Group II D contaminants are either not totally characterized, or have only been identified qualitatively, or warrant additional monitoring to confirm their existence.

While air emissions and water discharges of 4-CBTF from manufacture are minimal, the Agency believes that residual leaching from over 7,700 metric tons (about 17 million pounds) of benzotrifluoride derivatives disposed at the Hyde Park landfill remains a main source of exposure and is probably responsible for maintaining current water levels (Refs. 7, 9 and 10). Since 4-CBTF is not readily biodegradable, leaching from previously deposited

wastes will continue indefinitely or until the disposal sites are cleaned up.

EPA has evaluated the potential effects of the total aquatic release of 4-CBTF (from Occidental and/or landfill leaching) using a model of the Niagara River that is specific for that part of the river where Occidental discharges waste effluent about 4 miles upstream from the Falls to where they discharge indirectly through Niagara Falls wastewater treatment plant facility below the Falls (Ref. 16). Using available data on 4-CBTF (especially empirical values for physical properties and chemical fate developed under the NTA), the Agency used the maximum acceptable toxicant concentration (MATC) for the aquatic organism found to be most sensitive to 4-CBTF (*Daphnia*) (See Unit I.D.) to estimate the minimum quantity of 4-CBTF that would have to be released to achieve the low end of the *Daphnia* MATC range (30 to 50 ppb). The Agency estimates that Occidental would have to release 12 million lb/yr to achieve a 30 ppb concentration in the Niagara River. Such a release is highly unlikely not only because the SPDES limit is 3,650 pounds a year but because this quantity is 24 percent of the maximum production figures for 4-CBTF and 43 percent of the estimated level of 28 million lb/yr.

C. Health Effects

1. *Mutagenicity.* 4-Chlorobenzotrifluoride showed no evidence of mutagenicity in several test systems. Additional gene mutation testing is not considered necessary because the Ames Battery, the *in vitro*/ *in vivo* Urinary Assay and the Mouse Lymphoma Assay were all negative. In the Ames Battery in *Salmonella* strains TA-1535, TA-1537, TA-1538, TA-98, and TA-100; in *Saccharomyces* strain D; and in *E. coli* strains W3110/*polA*⁺ and P3478/*polA*⁻, 4-CBTF at 0.01 to 10.0 μ l per plate, with and without activation, produced negative results (Ref. 17). In an *in vitro*/*in vivo* Urinary Assay with *Salmonella* strains TA-1535, TA-1537, TA-98, and TA-100, each plate received 0.1 to 0.3 ml urine collected from mice given 50 to 500 mg/kg 4-CBTF by oral gavage over a 48-hour period. 4-Chlorobenzotrifluoride was not mutagenic (Ref. 18). The Mouse Lymphoma Assay, using a series of concentrations from 0.78 nl/ml to 400 nl/ml, with and without activation, also produced negative results (Ref. 19).

Additional chromosome aberration testing is not considered necessary because *in vitro* testing with Chinese Hamster Ovary (CHO) cells and *in vitro* testing in the Rat Bone Marrow Cytogenic Assay were all negative. The

in vitro testing of Chinese Hamster Ovary cells, with and without activation, exposed to 29.99 to 130.0 nl/ml produced negative results (Ref. 20). The *in vitro* Rat Bone Marrow Cytogenic Assay, using 4-CBTF levels of 0.5, 1.7, and 5.0 ml/kg, produced negative results (Ref. 21).

In a Sister Chromatid Exchange (SCE) Assay, a positive mutagenic response has been reported in mouse lymphoma cells using levels of 4-CBTF from 2.5 nl/ml to 40 nl/ml (Ref. 22). Without activation, 4-CBTF induced statistically significant increases in SCE frequencies in a dose-dependent manner. With metabolic activation, results were less clear. While 3 of 5 concentration levels showed significantly greater SCE frequencies than controls, the highest dose level was not among them. Since the Sister Chromatid Assay measures DNA damage, it is not part of the chain of assays assessing oncogenic potential from gene mutation or chromosome aberration tests. For this reason, a cell transformation assay with BALB/3T3 cells was conducted. In the non-activated system BALB/3T3 cells exposed to 4-CBTF over a concentration range of 0.1 nl/ml to 40.0 nl/ml produced negative results (Ref. 23). The same assay with activation also produced negative results at levels of 10 to 300 μ g/ml (Ref. 24).

While mouse lymphoma cells responded to a SCE assay with a positive response in a non-activated system and a possible positive response in an activated system, the preponderance of evidence is that 4-CBTF is not mutagenic; it does not induce chromosomal transformations in several "higher tier" mutagenicity assays, namely *in vitro* assays (CHO and BALB/3T3) and in the *in vitro* Bone Marrow Assay. The Agency has reviewed these data following the Proposed Guidelines for Mutagenicity Risk Assessment (49 FR 45314) and has concluded that 4-CBTF may be considered non-mutagenic because the weight-of-evidence (especially the data from the higher tier studies) shows 4-CBTF does not induce mutagenicity, chromosomal aberrations, or cell transformations (Ref. 25).

2. *Acute toxicity.* The acute toxicity of 4-CBTF has been well defined. Testing demonstrates 4-CBTF to be only mildly toxic. Sprague-Dawley rats receiving a single dose of 4-CBTF (608 g/kg) via oral gavage had no pathology specific to 4-CBTF exposure after 2 weeks. The LD₅₀ was 6.8 g/kg (Ref. 26). Sprague-Dawley rats exposed for 4 hours to 6.03, 20.8, 28.4, 39.1, or 60.7 mg/l 4-CBTF in the air were observed for 14 days after

exposure. An inhalation LC_{50} of 33 mg/1 (33 g/m³ or 4467 ppm) was calculated. At the two lowest levels there were no deaths; however, dose-related effects such as partially closed eyes, excessive lacrimation, redness around the eyes, mucoid discharge and labored breathing were evident. No specific pathology was seen in higher dose groups that was not also seen in the controls (Ref. 27). Dermal toxicity tests with albino rabbits given 2.7 g/kg 4-CBTF showed no mortality or long-term skin irritation (Ref. 28). Acute eye and primary skin irritation tests in rabbits indicate 4-CBTF is not appreciable irritating to eye or skin (Ref. 28).

3. *Pharmacokinetics.* In a preliminary qualitative pharmacokinetics study, rats were dosed via oral gavage with radioactive 4-CBTF (1 mg/kg) (Ref. 29). About 80 percent of the 4-CBTF dose was rapidly exhaled unchanged. There were no other radioactive products (e.g. CO₂) exhaled. This strongly suggests that 4-CBTF does not enter the central intermediary metabolic pathways in the body. Another 2 to 3 percent was recovered unchanged in the feces. Approximately 15 percent was recovered in the urine, mainly in the form of glucuronide adducts. At 4 days, only 1 percent of the radioactive dose remained in the tissues. Again this indicates that the body does not process much 4-CBTF through central metabolic channels.

4. *Subchronic toxicity.* A 90-day subchronic study in Fischer 344 rats (Ref. 30) was conducted under the negotiated testing program. Rats received one of four dose levels of 4-CBTF (10, 40, 150, or 500 mg/kg body weight/day) by gavage. Effects due to 4-CBTF were both dose- and sex-related, with males more sensitive to the effects of 4-CBTF than females. Dose-related effects included elevated blood urea nitrogen, elevated total bilirubin, elevated alkaline phosphatase, induction of hepatic detoxifying enzymes, increased liver and kidney weights, liver hypertrophy and mild proteinuria. These clinical and pathological changes implicate kidney and liver detoxifying systems with moderate kidney damage (tubular degeneration at high dose levels in males). Symptoms were more pronounced at dose levels of 150 mg/kg and 500 mg/kg. Although the toxicity of 4-CBTF was clearly dose-related, there was no particular dose level associated with a specific pathological expression; rather 4-CBTF produced an array of symptoms (at levels above 10 mg/kg), which became more pronounced as the dose increased. The NOEL was

estimated to 10 mg/kg for 90 days exposure.

EPA has reviewed all these data (Refs. 25 and 31). In summary, the health effects studies, especially when considered as a whole, tend to characterize 4-CBTF as a chemical with low toxicity. The Agency believes the data from the gene mutation, the chromosome aberration, and the cell transformation tests do not indicate a potential for mutagenicity or oncogenicity. The pharmacokinetics study is suggestive that 4-CBTF is not channeled into metabolic pathways (with the exception of excretion via glucuronides). Finally, the Agency has concluded that the mammalian subchronic study is adequate to characterize the subchronic and potential chronic toxicities of 4-CBTF. No additional subchronic testing appears necessary, and this study does not suggest that 4-CBTF produces any chronic or abnormal reproductive effects after 90 days oral exposure.

D. Environmental Effects

The acute and subchronic environmental effects of 4-CBTF on aquatic species are well characterized; additional testing is not considered necessary. Aquatic toxicity testing provided acute toxicity data for fish and daphnid. The 96-hour LC_{50} values for bluegill sunfish and rainbow trout were 12.0 ppm and 13.5 ppm, while the 96-hour NOELs were 5.6 ppm and 3.2 ppm, respectively. The 48-hour LC_{50} for *Daphnia* was 12.4 ppm, while the NOEL was 6.5 ppm (Ref. 32).

A 31-day embryo/larval test in fathead minnows continuously exposed after hatching to 5 concentrations of 4-CBTF from 0.07 ppm to 1.4 ppm provides data to calculate an MATC between 0.54 ppm and 1.4 ppm (Ref. 33).

In a 21-day flow-through study, *Daphnia* were exposed to 5 concentrations of 4-CBTF from 0.01 ppm to 0.2 ppm. Concentration of 0.03 ppm or less had no observable effects on mortality, growth, or productivity. The 21-day LC_{50} was 0.071 ppm. For productivity, the 21-day MATC for *Daphnia* was calculated to be between 0.03 and 0.05 ppm (Ref. 34). Of the species tested, *Daphnia* was the most sensitive aquatic organism to 4-CBTF.

In a study to assess bioconcentration potential, bluegill sunfish were exposed to two measured concentrations of 4-CBTF (0.250 ppm and 0.025 ppm) for 48 hours. Uptake of 4-CBTF was rapid, with tissues reaching equilibrium values (35 ppm and 3.4 ppm respectively) in 4 hours. After a 48-hour depuration period, only 10 percent of the high dose and 2 to 5 percent of the low dose

remained in the tissues. The bioconcentration factor (BCF) was calculated and found to be between 121 and 202 (Ref. 35). The Agency accepts this calculation as valid (Ref. 25).

E. Environmental and Chemical Fate

4-Chlorobenzotrifluoride adsorption to sandy and clay soils and to aquatic sediments was determined experimentally. Coefficients expressing the degree of adsorption to soil or organic carbon were calculated giving a K_{oc} of 420-530, which shows a moderate ability to sorb to soils (Ref. 3). The octanol-water partition coefficient for 4-CBTF ($\log K_{ow} = 3.70$), calculated from experimental values, showed a strong affinity for 4-CBTF to partition to organic material rather than to water (Ref. 36).

The photolysis of 4-CBTF in water was studied experimentally. After 28 days, 97 percent of the initial 4-CBTF was present, indicating no significant degradation had occurred (Ref. 37). The rate of volatilization from water was determined experimentally; 4-CBTF was found to have a rate equal to 0.64° compared to that of oxygen which shows that 4-CBTF is very volatile from water (Ref. 38). The Agency has reviewed the studies of K_{ow} , adsorption, photolysis, and volatilization and find the experiments were done well, and that the conclusions are valid (Ref. 39).

Anaerobic and aerobic aquatic biodegradation studies were submitted (Ref. 4). The Agency found the results of both studies to be inconclusive due to the high volatility of the test chemical. However, EPA, after a review of the studies, is not proposing further testing at this time since most 4-CBTF will partition to the atmosphere rather than persist in soils. If biodegradation in soils, sediments, or suspended particulates is of special concern, a new type of biodegradation test would have to be designed to compensate for the effect of 4-CBTF's volatility (Ref. 39).

The fate of 4-CBTF in air was studied and rate constants for degradation by photolysis (> 6.5 days), by hydroxyl free radical attack (about 50 days), and by ozone attack (> 8.8 years) were determined. The lifetime of 4-CBTF in air is determined by the ratio of these constants, but it will be at least 7 days but less than or equal to 50 days (Ref. 2). In reviewing this study, the Agency has noted that the test protocol used black light conditions rather than actual sunlight, since there is no standard test protocol for sunlight testing (Ref. 40). Therefore while these degradation rates are the most accurate obtainable, they

do not reflect actual atmospheric conditions.

Decision Not To Initiate Rulemaking

The health and environmental effects and the chemical fate testing submitted to the Agency by Occidental pursuant to the NTA has been reviewed (Refs. 25, 31, 39 and 40). The Agency finds that these data are valid and are sufficient to reasonably predict the chemical fate, environmental effects and the health effects of 4-CBTF. Moreover these data raise no concerns for the need for additional testing at this time. At present release levels there is no substantial environmental exposure to 4-CBTF, nor does the Agency believe the current level poses an unreasonable risk to the environment.

EPA has, therefore, decided that testing of 4-CBTF under section 4(a)(1)(A) or 4(a)(1)(B) of TSCA is not warranted at this time. The basis for this determination is that the test data now available for 4-CBTF are adequate to assess the health and environmental concerns identified by the ITC, and the existing data do not suggest that 4-CBTF may present an unreasonable risk to human health or the environment. Release and exposure for 4-CBTF do not appear sufficient to warrant testing for any other effects on a section 4(a)(1)(B) basis.

IV. Public Record

EPA has established a public record for this decision not to test under section 4 of TSCA (docket number OPTS-42026). The record includes the following information:

A. Support Documentation

(1) Federal Register notices pertaining to this decision consisting of:

(a) Notice containing the ITC designation of 4-CBTF to the Priority List (February 5, 1982, 47 FR 5456).

(b) Notice of request for public comment on 4-CBTF NTA (November 8, 1982, 47 FR 50555).

(c) Notice of final action on 4-CBTF NTA (July 18, 1983, 47 FR 32730).

(d) Receipt of data notices (May 4, 1983, 48 FR 20132; November 25, 1983, 48 FR 53159; May 2, 1984, 49 FR 18779; February 6, 1985, 50 FR 5421).

(e) Proposed guidelines for mutagenicity risk assessment (November 23, 1984, 49 FR 46314).

(2) Communications consisting of:

(a) Written public and intra-agency or interagency memoranda and comments.

(b) Summaries of telephone conversations.

(c) Summaries of meetings.

(3) Reports—published and unpublished factual materials, including contractor's reports.

B. References

(1) Hooker Research Center. Solubility of *p*-chlorobenzotrifluoride in water. Letter with attached studies from Samuel Gelfand to S.D. Newburg-Rinn, Environmental Protection Agency. March 11, 1982.

(2) Occidental Chemical Corp. "Loss processes for 4-chlorobenzotrifluoride under atmospheric conditions." Submitted by Elanco Products Company as reported in 50 FR 5421. February 6, 1985.

(3) Elanco Products Company. "Adsorption of *p*-chlorobenzotrifluoride on soil and sediment." Submitted by Elanco Products Company as reported in 49 FR 18779. May 2, 1984.

(4) Elanco Products Company. "Aerobic aquatic biodegradation of 4-chlorobenzotrifluoride," and "Anaerobic biodegradation of 4-chlorobenzotrifluoride." Submitted by Elanco Products Company as reported in 49 FR 18779. May 2, 1984.

(5) Mathtech, Inc. Draft Level I Economic Evaluation: 4-chlorobenzotrifluoride. Prepared for Economics and Technology Division, U.S. Environmental Protection Agency. August 1982.

(6) Occidental Chemical Corp. Letter: J.G. Colson to M.G. Price, Test Rules Development Branch, U.S. Environmental Protection Agency. Document Control Number 403500078. April 15, 1985. Confidential Business Information.

(7) U.S. Environmental Protection Agency. Internal Memorandum from L.S. Rosenstein, Test Rules Development Branch, to the File. Industry Meeting Summary. March 17, 1982.

(8) U.S. Environmental Protection Agency. Internal Memorandum from M.L. Chatmon, Chemical Engineering Branch, to M.G. Price, Test Rules Development Branch. Exposure Analysis for 4-Chlorobenzotrifluoride (PCBTF) Document Control Number 20-851-0431. March 27, 1985. Confidential Business Information.

(9) Elder, V.A., B.L. Proctor, and R.A. Hites. "Organic Compounds Found Near Dump Sites in Niagara Falls, New York." *Environ. Sci. and Technology*. 15(10):1237-1242. October 1981.

(10) The Niagara River Toxics Committee. Report. October 1984.

(11) Pellizzari, E.D., M.D. Erickson, and R.A. Zweidinger. "Formulation of a preliminary assessment of halogenated organic compounds in man and environmental media." EPA 560/13-79-006. 1979.

(12) Yurawecz, M.P. "Gas-liquid chromatographic and mass spectrometric identification of chlorinated trifluorotoluene residues in Niagara River fish." *J.A.O.A.C.* 62(1):36-40. 1979.

(13) Occidental Chemical Corp. Letter: J.G. Colson to N. Gray, Test Rules Development Branch, U.S. Environmental Protection Agency. January 14, 1983.

(14) Stack, J.E. Telephone Conversation. J.E. Stack, New York State Department of Environmental Conservation to M.G. Price, Test Rules Development Branch, U.S.

Environmental Protection Agency. January 15, 1985.

(15) New York State Department of Environmental Conservation. Letter: J.E. Stack to M.G. Price, Test Rules Development Branch, U.S. Environmental Protection Agency. February 8, 1985.

(16) U.S. Environmental Protection Agency. Internal Memorandum from P. Harrigan, Design and Development Branch, to M.G. Price, Test Rules Development Branch. Concentrations of 1-Chloro-4-(Trifluoromethyl) Benzene in the Niagara River. January 14, 1985.

(17) Hooker Research Center. "Mutagenicity evaluation of parachlorobenzotrifluoride in the Ames *Salmonella*/Microsome Plate Test." Letter with attached studies from Samuel Gelfand to S.D. Newburg-Rinn, Environmental Protection Agency. March 11, 1982.

(18) Hooker Research Center. "Mutagenicity evaluation of parachlorobenzotrifluoride in a *In Vivo*/In Vitro Urine Assay." Letter with attached studies from Samuel Gelfand to S.D. Newburg-Rinn, Environmental Protection Agency. March 11, 1982.

(19) Hooker Research Center. "Mutagenicity evaluation of parachlorobenzotrifluoride in the mouse Lymphoma Forward Mutation Assay." Letter with attached studies from Samuel Gelfand to S.D. Newburg-Rinn, Environmental Protection Agency. March 11, 1982.

(20) Elanco Products Company. "Chromosome aberrations in Chinese hamster ovary cells." Submitted by Elanco Products Company as reported in 49 FR 18779. May 2, 1984.

(21) Elanco Products Company. "Activity of compound 38502 (T2025) in the Acute *in vivo* Cytogenetics Assay in male and female rats." Submitted by Elanco Products Company as reported in 49 FR 18779. May 2, 1984.

(22) Hooker Research Center. "Mutagenicity Evaluation of parachlorobenzotrifluoride in the Sister Chromatid Exchange Assay in L5178Y Mouse Lymphoma Cells." Letter with attached studies from Samuel Gelfand to S.D. Newburg-Rinn, Environmental Protection Agency. March 11, 1982.

(23) Hooker Research Center. "Evaluation of parachlorobenzotrifluoride in the *In Vitro* Transformation of BALB/3T3 Cells Assay." Letter with attached studies from Samuel Gelfand to S.D. Newburg-Rinn, Environmental Protection Agency. March 11, 1982.

(24) Elanco Products Company. "Evaluation of compound #38502 in the BALB/C-3T3 Neoplastic Transformation with an Aroclor-induced Rat Liver Microsomal (S9) Metabolic Activation System." Submitted by Elanco Products Company as reported in 49 FR 18779. May 2, 1984.

(25) U.S. Environmental Protection Agency. Internal Memorandum from W.H. Farland, Health and Environmental Review Division, to G. Timm, Test Rules Development Branch. Review of 4-Chlorobenzotrifluoride. October 12, 1984.

(26) Hooker Research Center. "Acute or toxicity (LD₅₀) in albino rats." Letter with

attached studies from Samuel Gelfand to S.D. Newburg-Rinn, Environmental Protection Agency. March 11, 1982.

(27) Hooker Research Center. "An acute inhalation toxicity study of parachlorobenzotrifluoride in the rat." Letter with attached studies from Samuel Gelfand to S.D. Newburg-Rinn, Environmental Protection Agency. March 11, 1982.

(28) Hooker Research Center. "Acute dermal toxicity (LD₅₀), eye irritation, and skin irritation in albino rabbits." Letter with attached studies from Samuel Gelfand to S.D. Newburg-Rinn, Environmental Protection Agency. March 11, 1982.

(29) Elanco Products Company. "Metabolism of *p*-Chlorobenzotrifluoride by Rats." Submitted by Occidental Chemical Co. as reported in 48 FR 20132. May 4, 1983.

(30) Elanco Products Company. "A subchronic (three-month) toxicity study in Fischer 344 rats given daily gavage doses of 4-chlorobenzotrifluoride (PCBTF)." Submitted by Elanco Products Company as reported in 49 FR 18779. May 2, 1984.

(31) U.S. Environmental Protection Agency. Internal Memorandum from Baumel, Health and Environmental Review Division, 4-chlorobenzotrifluoride Data Metabolism Study and Analysis of Fish Samples. February 25, 1983.

(32) Hooker Research Center. "The acute toxicity of parachlorobenzotrifluoride to the rainbow trout, *Salmo gairdneri* Richardson." "The acute toxicity of parachlorobenzotrifluoride to the bluegill sunfish, *Lepomis macrochirus* Rafinesque."

"The acute toxicity of parachlorobenzotrifluoride to the water flea *Daphnia magna* Straus." Letter with attached studies from Samuel Gelfand to S.D. Newburg-Rinn, Environmental Protection Agency. March 11, 1982.

(33) Hooker Research Center. "The toxicity of parachlorobenzotrifluoride to fathead minnow (*Pimephales promelas*) embryos and larvae." Letter with attached studies from Samuel Gelfand to S.D. Newburg-Rinn, Environmental Protection Agency. March 11, 1982.

(34) Hooker Research Center. "*Daphnia magna* chronic study testing parachlorobenzotrifluoride." Letter with attached studies from Samuel Gelfand to S.D. Newburg-Rinn, Environmental Protection Agency. March 11, 1982.

(35) Elanco Products Company. "Bioconcentration of ¹⁴C-parachlorobenzotrifluoride by bluegill in a static system." Submitted by Elanco Products Company as reported in 49 FR 18779. May 2, 1984.

(36) Elanco Products Company. "n-octanol-to-water Partition Coefficient of Parachlorobenzotrifluoride." Submitted by Elanco Products Company as reported in 49 FR 18779. May 2, 1984.

(37) Elanco Products Company. "Photolysis of parachlorobenzotrifluoride in water." Submitted by Elanco Products Company as reported in 49 FR 18779. May 2, 1984.

(38) Elanco Products Company. "Volatilization rate of parachlorobenzotrifluoride from water." Submitted by Elanco Products Company as reported in 49 FR 18779. May 2, 1984.

(39) U.S. Environmental Protection Agency. Internal Memorandum from M.P. Halper, Exposure Evaluation Division, to G. Timm, Test Rules Development Branch. Review of 4-Chlorobenzotrifluoride (4-CBTF) Base Set Studies. October 11, 1984.

(40) U.S. Environmental Protection Agency. Internal Memorandum from M.P. Halper, Exposure Evaluation Division, to G. Timm, Test Rules Development Branch. Review of 4-chlorobenzotrifluoride (4-CBTF) Air Fate Study. November 30, 1984.

Confidential Business Information (CBI), while part of the record, is not available for public review. A public version of the record, from which CBI has been deleted, along with other information considered by the Agency in developing this notice is available for inspection in the OPTS Reading Rm. E-107, 401 M St., SW., Washington, DC from 8 a.m. to 4 p.m. Monday through Friday, except legal holidays.

Authority: 15 U.S.C. 2603.

Dated: October 9, 1985.

Susan F. Vogt,

Acting Assistant Administrator for Pesticides and Toxic Substances.

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[ER-FRL-2912-6]

Environmental Impact Statements; Availability

Responsible Agency: Office of Federal Activities, General Information (202) 382-5073 or (202) 382-5075.

Availability of Environmental Impact Statements filed October 7, 1985 through October 11, 1985 Pursuant to 40 CFR 1506.9.

EIS No. 850446, Draft, AFS, UT, Dixie National Forest, Land And Resource Management Plan, Due: January 17, 1986, Contact: Al Schultdt (801) 586-2421.

EIS No. 850447, Final, FHW, OR, Kuebler Boulevard-Cordon Road Improvements. South Commercial Street to North Santiam Highway, Marion County, Due: November 18, 1985, Contact: Dale Wilken (503) 399-5749.

EIS No. 850448, Final, BLM, UT, Box Elder Planning Area, Resource Management Plan, Box Elder Country, Due: November 18, 1985, Contact: Dennis Oaks (801) 524-6767.

EIS No. 850449, Final, AFS, ID, WY, Targhee National Forest, Land and Resource Management Plan, Due: November 18, 1985, Contact: Robert Williams (208) 624-3151.

EIS No. 850450, Final, AFS, WY, Bighorn National Forest, Land and Resource Management Plan, Due: November 18,

1985, Contact: Edward Schultz (307) 672-0751.

EIS No. 850451, Draft, AFS, CO, Wolf Creek Valley Ski Area Development, Special Use Permit, San Juan National Forest, Mineral County, Due: December 2, 1985, Contact: John Kirkpatrick (303) 247-4874.

EIS No. 850452, Final, BLM, UT, PR Spring and Hill Creek Special Tar Sand Areas, Oil and Gas Leases, Conversion to Combined Hydrocarbon Leases, Approval, Due: November 18, 1985, Contact: Robert Pizel (303) 236-1080.

EIS No. 850453, Final, CDB, NY, Pierreport Street Office Development, Construction, UDAG, Kings County, Due: November 18, 1985, Contact: James Stuckey (212) 619-5000.

EIS No. 850454, Final, FHW, NJ, NJ-20 Connector Completion, I-80 to CDD Loop Road, Passaic County, Due: November 18, 1985, Contact: Russell Eckloff (609) 989-2280.

Amended Notices

EIS No. 850319, Draft, AFS, UT, Fishlake National Forest, Land and Resource Management Plan, Due: October 31, 1985, Published FR August 2, 1985—Review period extended.

EIS No. 850411, Final, OSM, NM, La Plata Mine, Mining and Transportation Corridor Plans, Perm. Due: November 4, 1985, Published FR September 27, 1985—Review period reestablished.

EIS No. 850418, Draft, AFS, ID, Salmon National Forest, Land and Resource Management Plan, Due: January 10, 1986, Contact: Richard Huff (202) 756-2215, Published FR October 4, 1985—Review period extended and New contact information.

Dated: October 15, 1985.

Allan Hirsch,

Director, Office of Federal Activities.

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[ER-FRL-2912-7]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared September 30, 1985 through October 4, 1985 pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended, requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 382-5075/76. An